

TEXAS APPRAISER LICENSING  
AND CERTIFICATION BOARD

vs.

GREGORY W. AUSTIN  
TX- 1322654-R

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DOCKETED COMPLAINT NO.  
11-188

**AGREED FINAL ORDER**

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2011, the Texas Appraiser Licensing and Certification Board, (the Board), considered the matter of the certification of Gregory W. Austin (Respondent).

In order to conclude this matter Gregory W. Austin neither admits nor denies the truth of the Findings of Fact and Conclusions of Law contained herein and further agrees to the disciplinary action set out in this Agreed Final Order. The Board makes the following findings of fact and conclusions of law and enters this Order in accordance with TEX. OCC. CODE § 1103.458:

**FINDINGS OF FACT**

1. Respondent Gregory W. Austin is a Texas state certified residential real estate appraiser, holds certification number TX-1322654-R, and has been certified by the Board during all times material to the above-noted complaint case.
2. Respondent entered into agreed final order with the Board on October 16<sup>th</sup>, 2009, which placed him on a three year probated revocation with various conditions attached to the probation period.
3. Respondent was required as part of the order to make monthly \$250.00 installment payments to pay off a \$5,000.00 administrative penalty imposed in the order.
4. He was also required to submit quarterly experience logs and affidavits.
5. Respondent is delinquent in making the monthly payments and currently owes \$2,500.00 in past due installments (i.e. 10 delinquent installment payments).
6. He has also failed to timely submit the quarterly experience logs although he has recently come into compliance on this issue.
7. The agreed final order entered into on October 16<sup>th</sup>, 2009 calls for the permanent revocation of Respondent's certification should he fail to comply with the terms of the order.

8. Thereafter a complaint relating to failure to comply with a final order of the Board was staff-initiated.
9. After receipt of the complaint, the Board, in accordance with the mandate of the Administrative Procedure Act (the APA), TEX. GOV'T CODE ANN. CHPT. 2001, and TEX. OCC. CODE CHPT. 1103, notified Respondent of the nature of the accusations involved and Respondent was afforded an opportunity to respond to the accusations in the complaint. Respondent's response was received.
10. Respondent has been sanctioned by the Board on 3 prior occasions (including the agreed order which is at issue in these proceedings).
11. The parties hereby enter into the foregoing consent order in accordance with TEX. OCC. CODE § 1103.458.

#### CONCLUSIONS OF LAW

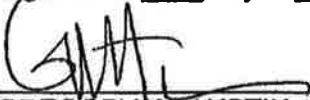
1. The Texas Appraiser Licensing and Certification Board has jurisdiction over this matter pursuant to the Texas Appraiser Licensing and Certification Act, TEX. OCC. CODE § 1103 et. seq.
2. The parties are authorized to resolve their dispute by means of a consent order in accordance with TEX. OCC. CODE § 1103.458.
3. Respondent violated 22 Tex. Admin. Code § 153.20(a)(23) by failing to comply with a final order of the Board.

Based on the above findings of fact and conclusions of law, the Board **ORDERS** that Respondent's license shall be and is hereby **REVOKED**. Respondent shall not be entitled to apply for reinstatement in accordance with TEX. OCC. CODE § 1103.522.

Respondent, by signing this Agreed Final Order, waives the Respondent's right to a formal hearing and any right to seek judicial review of this Agreed Final Order. Information about this Agreed Final Order is subject to public information requests and notice of this Agreed Final Order will be published on the Board's web site.

THE DATE OF THIS AGREED FINAL ORDER shall be the date it is executed by the Chairperson of the Texas Appraiser Licensing and Certification Board. The Chairperson has been delegated the authority to sign this Agreed Final Order by the Texas Appraiser Licensing and Certification Board vote.

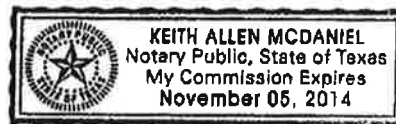
Signed this 18 day of MARCH, 2011.

  
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GREGORY W. AUSTIN

SWORN TO AND SUBSCRIBED BEFORE ME, the undersigned, on this the 18<sup>th</sup> day of March, 2011, by GREGORY W. AUSTIN, to certify which, witness my hand and official seal.

Keith Allen McDaniel  
Notary Public Signature

Keith Allen McDaniel  
Notary Public's Printed Name



Signed by the Standards and Enforcement Services Division this 18<sup>th</sup> day of March, 2011.

Troy Beaulieu  
Troy Beaulieu, TALCB Staff Attorney

Signed by the Commissioner this 20<sup>th</sup> day of May, 2011.

Douglas Oldmixon  
Douglas Oldmixon, Commissioner  
Texas Appraiser Licensing and Certification Board

Approved by the Board and Signed this 20<sup>th</sup> day of May, 2011.

Luis De La Garza  
Luis De La Garza, Chairperson  
Texas Appraiser Licensing and Certification Board